

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID PITLOR,

Plaintiff,

vs.

CHARLES SCHWAB & CO., INC.,

Defendant.

**8:19CV95**

**ORDER**

Plaintiff has moved the court to set aside its order granting Defendant's motion to compel arbitration. Plaintiff further requests leave to file an amended complaint, arguing his proposed new or additional allegations raise claims outside the scope of the parties' arbitration agreement. (Filing No. 18). Having reviewed his new and renewed allegations, the court disagrees.

The court finds that like the allegations in Plaintiff's Complaint herein, (Filing No. 1), and in his prior lawsuit, Pitlor v. Charles Schwab & Co., Inc., 8:18cv00196, the disputed issues described in Plaintiff's pending motion present controversies or claims arising out of or relating to his account agreement, account, account transactions, or relationship with Defendant. As the court's prior orders have explained, the parties agreed to settle such claims by arbitration. (Filing No. 12-2 at CM/ECF pp. 12–13; Filing No. 12-3 at CM/ECF p. 58).

Accordingly,

IT IS ORDERED:

- 1) Plaintiff's motion, (Filing No. 18), is denied.

- 2) Plaintiff is hereby notified that sanctions will be imposed against him if he files additional documents in this court in an attempt to litigate rather than arbitrate issues within the scope of the parties' arbitration clause.

June 10, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge